

Inventor(s): ENCEL et al.

Appl. No.: 08

Series Code ↑

468,145

Serial No. ↑

Filed: June 6, 1995

Title: Oligopeptide Lyophilisate etc.

Group Art Unit 1645

Examiner: N. Minnifield

Atty. Dkt. FMS 217506

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Client Ref

(Our Deposit Account No. 03-3975)

(Our Order No. 11468

C#

0217506

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Date:

January 12, 2000

Asst. Commissioner of Patents

Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. "Small Entity" statement(s) filed ☐

- ☐ previously
☐ herewith

(No.)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code
2. Total Effective Claims	**minus 0	0	x \$18/\$9 =	+ 0	103/203
3. Independent Claims	***minus 0	0	x \$78/\$39 =	+ 0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) add			+ \$260/\$130 =	+ 0	104/204
5. Original due Date: December 14, 1999	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos)	\$110/\$55 = \$380/\$190 = \$870/\$435 =	+ 110		115/215 116/216 117/217
7. Enter any previous extension fee paid since above original due date and subtract		- 0			
8.			Extension Fee Attached	+ 110	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55 =		+ 0	148/248
10. If IDS attached requires Official Fee, add		+ \$240 =		+ 0	126
or if Rule 97(d) Petition add		+ \$130 =			122
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$690/345 =		+ 0	146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$690/345 ea =		+ 0	149/249
13. Petition fee for				+ 0	
14.					
TOTAL FEE ENCLOSED =				\$110	

15. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

16. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

17. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Madison & Sutro LLP
Intellectual Property Group

By Atty: Ann S. Hobbs

Reg. No. 36830

1100 New York Avenue, NW

Ninth Floor

Washington, DC 20005-3918

Tel: (202) 861-3000

Atty/Sec: ASH/maf

Sig:

Fax:

(202) 822-0944

Tel:

(202) 861-3063

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

ENGEL et al

Appln. No. 08/468,145

Filed: June 6, 1995

Title: OLIGOPEPTIDE LYOPHILISATE, THEIR PREPARATION AND USE



Group Art Unit: 1645

Examiner: N. Minnifield

* * * * *

January 12, 2000

AMENDMENT

Hon. Commissioner of Patents
and Trademarks
Washington, D C. 20231

Sir:

In response to the Office Action issued September 1999 in the above-referenced application, please consider the following remarks.

REMARKS

Claims 20-23 are under examination. Reconsideration is requested.

Claims 20-23 have been rejected under 35 USC § 102(b) or (e) as being anticipated by Engel et al. (USP 5,663,145). This rejection is traversed for the following reasons.

The '145 patent claims a kit with an initial and maintenance dose of LH RH antagonist, cetorelix in particular, and a method of treating hormone dependent conditions. The '145 patent provides one example of how cetorelix might be produced. In contrast, the present application discloses and claims a method for preparation of a sterile cetorelix lyophilisate with specific reaction partners and parameters and

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